

House File 607 - Reprinted

HOUSE FILE 607
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 44)

(As Amended and Passed by the House March 28, 2011)

A BILL FOR

1 An Act establishing a parole procedure for certain persons
2 serving a class "A" felony sentence, and including effective
3 date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 902.1, Code 2011, is amended to read as
2 follows:

3 **902.1 Class "A" felony.**

4 1. Upon a plea of guilty, a verdict of guilty, or a special
5 verdict upon which a judgment of conviction of a class "A"
6 felony may be rendered, the court shall enter a judgment of
7 conviction and shall commit the defendant into the custody of
8 the director of the Iowa department of corrections for the rest
9 of the defendant's life. Nothing in the Iowa corrections code
10 pertaining to deferred judgment, deferred sentence, suspended
11 sentence, or reconsideration of sentence applies to a class "A"
12 felony, and a person convicted of a class "A" felony shall not
13 be released on parole unless the governor commutes the sentence
14 to a term of years.

15 2. a. Notwithstanding subsection 1, a person convicted of
16 a class "A" felony, and who was under the age of eighteen at
17 the time the offense was committed shall be eligible for parole
18 after serving a minimum term of confinement between thirty and
19 forty-five years. The court, at the time of sentencing, shall
20 determine the specific term of confinement to be served between
21 thirty and forty-five years before the person is eligible for
22 parole.

23 b. If a person is paroled pursuant to this subsection the
24 person shall be subject to the same set of procedures set out
25 in chapters 901B, 905, 906, and chapter 908, and rules adopted
26 under those chapters for persons on parole.

27 c. A person convicted of murder in the first degree in
28 violation of section 707.2 shall not be eligible for parole
29 pursuant to this subsection.

30 d. A person convicted of murder in the second degree in
31 violation of section 707.3 and who was also convicted of either
32 kidnapping in the first degree in violation of section 710.2 or
33 sexual abuse in the first degree in violation of section 709.2,
34 which conviction arose out of the same set of facts as the
35 murder-in-the-second-degree conviction, shall not be eligible

1 for parole pursuant to this subsection.

2 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of

3 immediate importance, takes effect upon enactment.